



# Guide to Planned Giving

Leave it to nature, forever.

*Your gift is your legacy*



**Tax ID# 91-1533402**

For more information:

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Or download this guide at: [skagitlandtrust.org](http://skagitlandtrust.org)

# Skagit Land Trust Guide to Planned Giving



## How Your Donation Supports Skagit Land Trust

If you wish to make a lasting gift to the environment, to your community, and to future generations, please consider a bequest or planned gift to Skagit Land Trust (the Trust). Land conservation is one of the few gifts that will last forever. Supporting Skagit Land Trust's work ensures that, today and tomorrow, natural land will be available for our children and our children's children; for wildlife; for plants and birds; and for the human spirit. As an accredited land trust, we understand that permanent land protection takes a strong and solvent land trust that conserves the lands that matter most to the community, a robust stewardship program to manage and defend protected lands, and a board of directors that excels at leading the organization. The accreditation seal lets you and others know that we have the systems in place to ensure the long-term success of our organization and the permanent protection of the lands we together have protected.



### Recommended Funds to Gift to:

We know that gifts are personal and that each gift is given thoughtfully. The Trust has set up several funds so that you can select exactly how your gift will be used. By using the fund name itself, our land trust of the future will understand without question what you wish:

**Undesignated:** At Skagit Land Trust, undesignated charitable gifts are used where there is the greatest need at the time. Undesignated gifts might be used for purchasing more land for wildlife habitat, securing marine shoreline for a park, or conserving one of the many beloved places in Skagit County. If a gift is large, the board might decide to split a gift between stewardship, land conservation, and operations.

**Land Fund:** This fund is used to buy or otherwise protect land. It is used when we have to move quickly, or risk losing the property. The funds are used to purchase properties or to secure conservation in other ways, like buying an option or negotiating a conservation easement. Properties whose protection was assisted by this fund include the Barr Creek Conservation Area, Skiyou Island, Mud Lake, and Minkler Lake, among many more.

**Stewardship Fund:** Land stewardship is taking care of lands we have protected, forever. Stewardship funds pay for property management and habitat restoration, and ensure that all protected lands and conservation easements remain protected. The Trust manages all protected properties professionally and restores its wildlife habitat as needed.

**Community Engagement Fund:** This fund is used to connect people with the land. Some properties have low impact trails and educational viewing areas installed so that the community can learn more about conservation and be connected to nature. The Trust also has educational and stewardship programs designed to connect people of all ages with our conservation areas.

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**Specific Conservation Areas:** Designating that your gift benefit a **specific Conservation Area or Conservation Easement** ensures that the property has funds to be well managed and protected for its conservation attributes, forever.

**Founders' Visionary Fund:** This fund was created to honor the Trust's three founders; Gene Murphy, Harold Christenson, and Keith Wiggers, who "planted the acorn that grew into an oak." This fund supports their vision of a natural Skagit, new initiatives, and special projects that further conservation of local natural lands.

**Restricted to Other Purposes:** Although we are happy to consider gifts for other designated purposes, if you wish to restrict your gift to other purposes, please be specific in your description or contact our office so that we can ensure we can meet your wishes and your gift's intent. For these types of requests, you may also want to have a back-up plan; e.g., "I would like my gift to be used for (name use). However, in the event it cannot be used for this purpose, the Trust may use my gift for (name fund)."

## Ways of Giving

Skagit Land Trust works to conserve the lands that matter most to the future of people and wildlife. By helping us to keep natural lands natural, you make a lasting and positive difference, forever. You can choose to support Skagit Land Trust in many different ways, during your lifetime or on your death. Bequests and planned gifts not only assist the natural world, the community and the work of Skagit Land Trust, but the method of giving you choose may offer significant financial benefits to you and your family.

You can name Skagit Land Trust as the direct beneficiary of specific assets, a portion or percentage of your estate, or of your residual estate after payment of other specific bequests. Bequests to Skagit Land Trust are exempt from state and federal estate taxes and can therefore offer substantial estate tax savings. We strongly recommend that you discuss any planned gift with your attorney, accountant, or other financial advisors. Your attorney or tax accountant can help you explore the options for making your gift simple and advantageous, both for your family and for Skagit Land Trust. We encourage you to also contact the Trust. Our staff can assist by outlining what options may best meet your legacy and conservation goals. Working together can help you maximize the positive impacts of your gift.

### **The most common options for giving and their advantages:**

**Cash** is the simplest and most common way to support Skagit Land Trust's work and its capital needs for land acquisition, far into the future. We welcome unrestricted (or undesignated) planned gifts, as this provides the Trust with the flexibility to allocate funds to the highest and best use for land conservation. We also welcome bequests designated for the Stewardship Fund, to help us manage and restore protected land; for specific conservation areas; for our Land Opportunity Fund for land conservation; for our Founder's Visionary Fund, which honors our three founders and permits the Trust to undertake special projects that help conserve land; and for our Community Education Fund, which connects people with nature. If you want your gift restricted to other uses, we recommend that you contact the Trust to discuss your intentions with us, so that we can meet your goals and your intentions for your gift.

**Stocks, Bonds, Mutual Funds, and Other Publicly Traded Securities** are easily donated, and tax laws make gifts of assets that have appreciated in value highly advantageous, giving you and your heirs exceptional tax savings. Gifting appreciated securities to the Trust avoids capital gains taxes, as does naming the Trust as the primary or contingent beneficiary of proceeds from any mutual fund, stock fund, or bond account. Many accounts allow you to update your beneficiary designations electronically or by mail, an easy and direct way to benefit Skagit Land Trust and land conservation.

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**Personal Property and Tangible Gifts** can be a wonderful opportunity for both you and Skagit Land Trust. Like stock gifts, a donation of tangible property, such as art work, is usually deductible at its market value, and if handled appropriately can avoid capital gains tax. Because an appraisal is often necessary, please discuss gifts of tangible property with us.

**Retirement Assets**, whether an IRA or other retirement plan, which designate Skagit Land Trust as beneficiary constitute a charitable gift which is deductible for estate tax purposes. For income tax purposes, because Skagit Land Trust is a tax-exempt charity, the Trust will not have to pay the income taxes otherwise due on the retirement assets, and therefore nature and land conservation benefit from the full value of your gift. You may prefer to designate retirement assets to a charitable life income arrangement (such as a charitable remainder trust) which will pay income to your heirs and eventually benefit Skagit Land Trust. Options include:

- An IRA or other retirement plan that requires distributions after age 70½ can create an unwanted tax burden. These required distributions can be used instead to fund charitable gifts, thus earning income tax deductions. Employer stock in your retirement plan presents a special opportunity.
- Distributions from a Roth IRA are generally not taxed. But both you and nature can benefit from naming the Trust as beneficiary to a Roth IRA.
- Gifts from a Retirement Plan or IRA Request a distribution form from your plan administrator or IRA custodian and simply request the desired distribution amount. The gift can be sent directly to Skagit Land Trust or through you first. For estate gifts, please remember that these assets are directed by a separate beneficiary designation form, not by your will.

**Land** is an asset that, unlike with many charities which hesitate to accept donated real property, Skagit Land Trust often considers (whether with or without structures). Real estate and land management are what we do. Whether your gift is land that we hold as one of our conservation areas, or developed or undeveloped property that we can sell and use the proceeds for more land protection, it all helps save land for tomorrow.

Gifts of land to the Trust are tax deductible. As a bequest on your death, the value of your land is removed from your taxable estate. If donated while you are living, the land is a charitable gift, deductible for income tax purposes.

If you wish to protect your land forever, as a conservation area or sanctuary or through a conservation easement, we encourage you to first consult with us so that we can determine the extent to which we are able to commit to its permanent protection. By talking with us, the probability that we or a future board of the Trust can accept your gift is increased, as we can determine the permanent protection responsibilities your gift of sanctuary land would require of the Trust.

Where we determine that we are the best stewards of the property, Skagit Land Trust will hold the land and manage it as a sanctuary. If the land is to be sold, in many cases Skagit Land Trust can place a conservation easement on the land before the sale, thus protecting the land's conservation value forever. The sales proceeds can then be used to benefit our conservation work.

If the land does not have conservation value, the proceeds from its sale can be used to help protect other land. Your wishes can be set out in your will, directing the Trust to sell the land and use the sales proceeds to support our overall conservation and stewardship responsibilities or acquire other suitable conservation land.

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## What are the most common ways to make a gift of real estate?

- You can give any property or residence to Skagit Land Trust through a bequest in your will, which will qualify for an estate tax charitable deduction.
- For conservation land willed to us, the Trust may hold the land and manage it as a conservation area or place a conservation easement on the land to protect its conservation value forever.
- Conservation easements can be made through specific bequests to take place on deaths. However, it is important that a donor consult with Skagit Land Trust, prior to signing the will, to ensure that the donor's conservation goals can be met by the Trust. Conservation easements require perpetual management and enforcement, which must be covered by the Trust's stewardship endowment. We recommend that gifts of land for conservation also include gifts of funds which can assist with stewardship, thus ensuring your conservation wishes can be met for perpetuity.
- Lifetime gifts can be made of a partial or full interest in a real estate, by a deed which reflects Skagit Land Trust as an owner, whether of all or of a portion of the real estate.
- You may be able to donate your land and still continue to live on it or use it during your lifetime. There are even cases where heirs can have the use of the land. This is known as a gift of land with a reserved "life estate," which creates a gift of the remainder interest to the Trust.

## Definitions:

A "Specific Gift" in your will gives the Trust title of your property (or another specific asset) after your death.

A "Residuary Gift" occurs when you leave what remains of your estate to the Trust after specific gifts to others have been made and your estate has been administered.

A "Contingent Gift" takes effect only in the event that some other bequest fails for some reason. (One example: You leave your estate to Skagit Land Trust in the event your spouse fails to survive you.)

Please see our information on Suggested Legal Text for gifts of land.

## Life Income Gifts

With a life income gift, the donor gives up ownership today, but (in most cases) no money becomes available to the Trust until after the donor's death. (The charitable lead trust is an exception). On these more complex types of gifts, we advise that you to work with your financial and legal advisors to discover the best way for your gift to benefit both the Trust and your financial goals, and that you then contact Skagit Land Trust with your proposal.

## Suggested Legal Language

If you wish to name Skagit Land Trust in your will or estate plan, we should be named as: Skagit Land Trust, a Washington nonprofit corporation, with offices in Mount Vernon Washington 98273.

Our mailing address is PO Box 1017, Mount Vernon Washington 98273. Our current business address is 1020 S. Third Street, Mount Vernon, WA 98273. **Our tax identification number is 91-1533402.**

Skagit Land Trust is an accredited land trust and tax exempt under section 501(c) (3) of the Internal Revenue Code.

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## Making Gifts of Real Estate

Making a bequest of land can have a lasting impact on the beauty and character of Skagit County, while protecting its natural lands, farms, forests, open spaces, and wildlife habitat. Although many charities hesitate to accept donated real estate, Skagit Land Trust invites you to consider gifting us land (with or without structures). Real estate and land management are what we do. Whether your gifted land is held and managed as one of our conservation areas, or is better suited as land that we sell after placing a conservation easement on it, or is non-conservation land whose proceeds once sold can be used for more land protection - it all helps save land for tomorrow.

### Donating Real Estate through your Will or Trust:

If you own property, a home, or business property that you would like to donate to Skagit Land Trust through your will or trust, the following language, which you should share with your attorney, can be used:

I hereby give, devise, and bequeath to Skagit Land Trust, a Washington nonprofit corporation, with offices in Mount Vernon, Washington 98273, all of my interest in that certain real property owned by me, located at \_\_\_\_\_ in Skagit County, Washington, and more particularly described as follows:  
*[full legal description of property]*

If the above-described real property does not qualify for protection under Skagit Land Trust's conservation area program, then Skagit Land Trust shall have authority, in its sole discretion, to sell the property and use the proceeds in such manner as its Board of Directors deems appropriate *[to further the purposes of land conservation OR specify a specific program, fund or use]*.

### Donating Conservation Land through your Will or Trust:

If you wish us to protect your land forever as a conservation area or sanctuary, we encourage you to first consult with us to determine whether or not your land will be suitable as a permanent sanctuary. Talking with us now about your potential gift and desires for your land increases the probability that we or a future board of the Trust can meet your wishes.

In cases where we determine that we are the best stewards of the property, Skagit Land Trust will hold the land and manage it as a conservation area. In other cases, Skagit Land Trust may place a conservation easement on the land before it is sold to protect its conservation value forever, and then allocate the sale proceeds to benefit our conservation work.

In the event that Skagit Land Trust is likely to hold the land as a conservation area, or you bequeath a conservation easement to us in your will, **we suggest that you also consider designating stewardship funds** to help care for the conservation property over time.

The following language, which you should share with your attorney, can be used to devise conservation property to Skagit Land Trust:

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I hereby give, devise, and bequeath to Skagit Land Trust, a Washington nonprofit corporation, with offices in Mount Vernon, Washington 98273, all of my interest in that certain [piece, parcel or lot] of real property owned by me, located at \_\_\_\_\_ in Skagit County, Washington, and more particularly described as follows: *[full legal description of property]*

It is my wish that Skagit Land Trust conserve and protect this property in its natural state. I understand that, at the time of my death, Skagit Land Trust shall inspect the property to determine whether it has any natural features or characteristics that should be protected or whether it provides habitat for any unusual, threatened, or rare species. I understand that Skagit Land Trust will endeavor to provide for appropriate protection for the property or any portions of the property that then contain any such natural characteristics and features or species. This may include selling the property with conservation restrictions.

I further bequeath to Skagit Land Trust the sum of \$(\_\_\_\_\_) as a gift to the Stewardship Fund, for the purpose of monitoring and enforcing the property's conservation needs.

If at the time of my death, Skagit Land Trust determines that it cannot protect the property, then Skagit Land Trust may sell the property with the proceeds being directed to support their conservation activities *[or describe how you wish the funds to be used]*.

## **Specific Bequest of a Conservation Easement:**

Some landowners have used their wills or trusts to place a conservation easement on land upon their deaths. When considering this, it is important that you consult with us prior to executing the document to ensure that your conservation goals can, in fact, be met. We will also inform you of our stewardship endowment policy for the management and enforcement of the easement. The suggested wording for conservation restriction bequests, which you should share with your attorney, is:

In the event I do not make a conveyance of *[describe the intended conservation easement here]* during my lifetime, I hereby give, devise, and bequeath to Skagit Land Trust, a Washington nonprofit corporation, with offices in Mount Vernon, Washington 98273, the development rights and conservation restrictions in that certain real property owned by me, located at \_\_\_\_\_ in Skagit County, Washington, and more particularly described as follows: *[full legal description of property]*

The development rights and conservation restrictions to be conveyed shall be substantially in the form set forth in *[the Grant of Development Rights and Conservation Restrictions should be pre-arranged with Skagit Land Trust, and a copy attached to the will or trust as an exhibit]*. I further bequeath to Skagit Land Trust, the sum of \$(\_\_\_\_\_) as a stewardship fund for the purpose of monitoring and enforcing the conservation restrictions on the property conveyed as set forth above.

## **Gifting Land or a Residence While Continuing to Live On/Use It:**

If you are a landowner, you may be able to donate your land or residence and continue to use it, by way of a life estate. To receive immediate tax benefit, you must irrevocably deed your land or residence. However, you can retain the right to use the property for the rest of your life (or over a specific term of years). By doing so, you are able to

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continue enjoying your property, while also obtaining a tax benefit and having the satisfaction of knowing that your land will pass into the good hands of Skagit Land Trust in the future.

**Skagit Land Trust's Gift Acceptance Policy is available upon request.**

## **For more information please contact:**

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*This material is for informational purposes only, and is not intended to be tax or legal advice. Prior to making a gift to Skagit Land Trust, please consult an attorney, accountant, or qualified financial advisor. The concepts described are effective only when used as part of an overall, carefully considered estate and financial plan. We strongly encourage potential donors to seek counsel from a qualified legal, accounting, and/or financial advisor prior to applying any of the information and ideas presented within these pages.*